

U.S. Patent Application Serial No.: 09/703,869  
Amendment Under 37 C.F.R. §1.111 dated July 9, 2004  
Response to the Office Action of April 9, 2004

### **REMARKS**

Claims 1 – 6 remain pending in the present application. The rejections set forth in the Office Action are respectfully traversed below.

#### **Claim Objections and Rejections Under 35 U.S.C. §112, Second Paragraph**

Claim 4 was objected to because the phrase “the device control filter is not analyzing and processing a print data” was alleged in the Office Action as referring to a “particular” print data instead. Claim 4 was amended above to clarify features of the invention.

Claims 2 and 4 – 6 were rejected under 35 U.S.C. §112, second paragraph. Claim 2 was rejected for an alleged discrepancy between claim 2 and claim 1 because claim 2 reads the print data out from the spool file which allegedly contradicts the print data being located in the print data storing unit in claim 1. However, it is submitted claim 2 does not contradict claim 1. Claim 1 recites “writing the print data to a spool file.” Claim 2 recites the device control filter analyzes and processes “said print data being read out to the end of said print file from said spool file.” There is no contradiction.

Claims 4 – 6 were rejected based on various antecedent basis errors. The Office Action indicated some confusion between what “print data” is being referred to at lines 9, 11, and 15. Claim 4 was amended to clarify features of the invention.

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**Rejections under 35 USC §103**

Claims 1 and 3-6 were rejected under 35 USC §103 over Suzuki (USP 6,213,652) in view of Schoenzeit et al. (USP 5,619,624). However, it is submitted that nothing in the prior art, either alone or in combination, teaches or suggests all the features recited in the present claimed invention.

Amended claim 1 recites a processor that includes a print data storing unit which stores a print file of an accepted print job and a spool file storing unit which stores the print file read out from the print data storing unit in accordance with a print request command. The processing unit provided in the processor starts writing the print data of the print file to the spool file storing unit in accordance with the print request command, when it starts storing the print file in the print data storing unit. Therefore, the processing unit is able to start storing the print file of the print job in the print data storing unit and also to supply the print data to the device control filter. Accordingly, a time from the receipt of a print job to the start of the requested printing can be reduced, and a recovery process for re-printing can be performed at a high speed, even when a problem occurs on the printer side.

On the other hand, Suzuki describes that a print processing device has a job acceptance section 201, a job control section 203 and a job execution section 204, as shown in Fig. 27. The print processing device prevents the job processing from being interrupted for a long time and a printer from being fully occupied for a long time, even when the reception of a succeeding document of a job is interrupted due to a fault of the network or the like, while a print request of plural documents is accepted as single job to be printed.

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In particular, "each job acceptance section 201 has its own spool and holds document data of a printed document included in a received job" (column 41, lines 65-67 of **Suzuki**). And, "when the job execution section 204, which is a printer, fetches document data of a print document from the spool of the acceptance section 201 to print the document, the object processing section 208 also reads document attribute, such as the location of document data and paper size on which the data are printed, from the object file 209 and sends that document attribute to the job execution section 204" (column 42, lines 53-59).

In the print processing device described in **Suzuki**, the acceptance section 201 has the spool for storing document data of the accepted print document. On the contrary, the processor of the present invention described in claim 1 includes a spool file storing unit in addition to the print data storing unit which stores a print file of the accepted print job.

Therefore, the processor of the present invention is different from the print processing device of **Suzuki**. In addition, the above-described technical feature of the present invention is not disclosed in the further reference to **Schoenzeit**. The devices described in **Suzuki** and **Schoenzeit** do not teach or suggest all the present claimed features and cannot achieve the advantages of the present invention.

As with claim 1, amended claim 4 recites a spool file storing unit provided in the processor, in addition to the print data storing unit. When the device control filter is not analyzing and processing print data, the processing unit reads out the print data of the print job in accordance with a specific condition which determines an output sequence of the registered print jobs stored in the print data storing unit, and writes the read out print data to the spool file storing

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unit. The processing unit of claim 4 selects a most suitable print job from the accepted print jobs in accordance with the specific condition, and prints the print data of the selected print job.

Therefore, claim 4 distinguishes over the prior art for the same reasons as for claim 1. Nothing in the cited prior art teaches or suggests all the features recited in the present claimed invention.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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